

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Hon. Jose L. Linares
v. : Crim. No. 09-864
DENNIS ELWELL and : ORDER
RONALD MANZO

This matter having been opened to the Court upon the application of the United States, by Paul J. Fishman, United States Attorney (Rachael A. Honig, Assistant U.S. Attorney, appearing), in the presence of defendants Dennis Elwell (Thomas Cammarata, Esq., appearing) and Ronald Manzo (Samuel DeLuca, Esq., appearing), for a protective order pursuant to Rule 16(d)(1) of the Federal Rules of Criminal Procedure, limiting the use and disclosure of (a) recorded conversations of the defendants and others (collectively, the "Recordings"); and (b) investigative agency reports (the "Reports"), which have been or will be made available to counsel for the defendants, and the Court, with the consent of the parties, and for good cause shown, having found that such an order should be entered,

WHEREFORE, IT IS on this 3rd day of February, 2010,

ORDERED that:

1. The Recordings and Reports and information contained in the Recordings and Reports shall not be disclosed to anyone other than the defendants, defendants' counsel, and any employee or agent working at the direction of defense counsel in this matter;

2. The Recordings and Reports and information contained in the Recordings and Reports will be used only in the preparation of the defense in this case. Notwithstanding the provisions of Paragraph 1, the defense shall be permitted to review, with prospective witnesses and their counsel, all materials referenced in Paragraph 1 to the extent necessary to prepare the defense;

3. Notwithstanding any other provision of this Order, the defense shall be permitted to disclose the Recordings and Reports and information contained within the Recordings and Reports in connection with the filing of the defendants' motions with the Court, or for use at trial, subject to Fed. R. Crim. P. 41.1; and

4. If there is a need prior to trial or during trial to disclose the Recordings and Reports or information contained in the Recordings and Reports beyond that permitted by this Order, then the defendant or defendants having such need will make an application to the Court, upon notice to the government, requesting such authorization.




HONORABLE JOSE L. LINARES
UNITED STATES DISTRICT JUDGE


Accepted and Acknowledged:

PAUL J. FISHMAN
UNITED STATES ATTORNEY

BY:


RACHAEL A. HONIG
Assistant U.S. Attorney

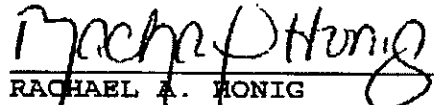

THOMAS CAMMARATA, ESQ.
Counsel for defendant Elwell


SAMUEL DELUCA, ESQ.
Counsel for defendant Manzo


Accepted and Acknowledged:

PAUL J. FISHMAN
UNITED STATES ATTORNEY

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